

AGENDA ITEM XI-L

Consideration of the review and re-adoption of Board rules, Chapter 22, in accordance with Texas Government Code, Section 2001.039, and simultaneously proposing the repeal of current sections and proposing new sections concerning the implementation and administration of various financial aid programs (First Consideration)

RECOMMENDATION: Review and re-adopt sections listed below, simultaneously proposing the repeal of current sections and proposing new sections

1. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.21 through 22.28 of Board rules and propose new Sections 22.21 through 22.30, concerning the Provisions for the Tuition Equalization Grant Program
2. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.61 through 22.66 of Board rules regarding Provisions for the Texas Public Grant Programs and propose new Sections 22.61 through 22.63, concerning the Provisions for the Texas Public Educational Grant Program.
3. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.101 through 22.107 of Board rules and propose new Sections 22.101 through 22.113, concerning the Provisions for the Scholarship Programs for Vocational Nursing Students
4. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.121 through 22.128 of Board rules and propose new Sections 22.121 through 22.133, concerning the Provisions for the Scholarship Programs for Professional Nursing Students
5. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.141 through 22.148 of Board rules and propose new Sections 22.141 through 22.148, concerning the Provisions for the License Plate Insignia Scholarship Program
6. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.161 through 22.169 of Board rules and propose new Sections 22.161 through 22.172, concerning the Provisions for the Fifth-Year Accounting Student Scholarship Program

7. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.225 through 22.234 of Board rules and propose new Sections 22.225 through 22.236, concerning the Toward EXcellence, Access and Success (TEXAS) Grant Program
8. Review and re-adopt Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously propose the repeal of Sections 22.253 through 22.260 of Board rules and propose new Sections 22.253 through 22.262, concerning the Toward EXcellence, Access and Success (TEXAS) Grant II Program

Summary:

Section 2001.039 of the Texas Government Code requires that each rule adopted by the Board after September 1, 1997, be reviewed within four years of the date it was adopted and every four years thereafter to assess whether the reason for adopting the rule continues to exist.

Notice of the proposed re-adoption of the sections listed above were filed on February 10, 2004, and appeared in the February 20, 2004, issue of the Texas Register. No comments were received concerning the re-adoption of these sections.

The reasons for the rules in these sections continue to exist because the Coordinating Board continues to have statutory responsibilities relating to all institutions of higher education in regard to issues covered by these rules. The staff therefore recommends re-adoption; however, staff also recommends that the current sections for these rules be repealed and is proposing new sections.

1. New Sections 22.21 through 22.30, concerning the Provisions for the Tuition Equalization Grant Program, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would clarify the source of the Board's authority to administer the program, add definitions to increase consistency to the interpretation of program rules and procedures, state the Board's authority to penalize institutions failing to meet program requirements, limit eligibility requirements to those set in state statute only and provide institutions more detail regarding Board procedures in allocating and reallocating funds.
2. New Sections 22.61 through 22.63, concerning the Provisions for the Texas Public Educational Grant Program, would remove references to programs that have been repealed (the Refund Texas Public Educational Grant Program and Tax Reimbursement Grant Program) and to the Public Student Incentive Grant, which does not provide the Board with rule-making authority. The new sections would simply state the statutory assignments to the Board with regard to the Texas Public Educational Grant Program.
3. New Sections 22.101 through 22.113, concerning the Provisions for the Scholarship Programs for Vocational Nursing Students, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would

clarify the source of the Board's authority to administer the program and add definitions to increase consistency in the interpretation of program rules and procedures.

4. New Sections 22.121 through 22.133, concerning the Provisions for the Scholarship Programs for Professional Nursing Students, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would clarify the source of the Board's authority to administer the program and add definitions to increase consistency in the interpretation of program rules and procedures.
5. New Sections 22.141 through 22.148, concerning the Provisions for the License Plate Insignia Scholarship Program, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would clarify the source of the Board's authority to administer the program and add definitions to increase consistency in the interpretation of program rules and procedures.
6. New Sections 22.161 through 22.172, concerning the Provisions for the Fifth-Year Accounting Student Scholarship Program, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would clarify the source of the Board's authority to administer the program, add definitions to increase consistency in the interpretation of program rules and procedures, state the Board's authority to penalize institutions failing to meet program requirements and provide institutions more detail regarding Board procedures in allocating and reallocating funds.
7. New Sections 22.225 through 22.236, concerning the Toward EXcellence, Access and Success (TEXAS) Grant Program, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would include additional definitions to clarify program requirements; provide detailed information regarding calculations related to program academic progress requirements; and provide additional information about procedures for allocating, reallocating and disbursing funds to institutions.
8. New Sections 22.253 through 22.262, concerning the Toward EXcellence, Access and Success (TEXAS) Grant II Program, would incorporate the general provisions regarding state grant and scholarship programs (currently Chapter 22, Subchapter A) into the rules so that they would be a complete, stand-alone document. The new sections would include additional definitions to clarify program requirements; provide detailed information regarding calculations related to program academic progress requirements; and provide additional information about procedures for allocating, reallocating and disbursing funds to institutions.

Purpose:

The proposed new sections would consolidate program information and provide institutions a deeper understanding of program policies and procedures.

Impact (including fiscal):

No fiscal impact is anticipated.

Advisory Committee Statement:

The Advisory Committee has not had an opportunity to review these rules.

Legal Consideration:

Approved by the Office of General Counsel \_\_\_\_\_ Date: \_\_\_\_\_